

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

EVAN M. PARKER,

**Plaintiff,**

v.

DAMON ZAUAIÀ, et al.,

## Defendants.

Case No.: 3:24-cv-00300-MMD-CSD

## ORDER

9 On July 10, 2024, pro se plaintiff Evan Parker, an inmate at Lyon County Detention  
10 Center, submitted a complaint under 42 U.S.C. § 1983. (ECF No. 1-1). Plaintiff neither  
11 paid the full \$405 filing fee nor applied to proceed *in forma pauperis*. Plaintiff submitted a  
12 letter stating the jail staff have not responded to his request for financial documents. (ECF  
13 No. 1-2). But the next day, Plaintiff filed a completed financial certificate and an inmate  
14 trust fund account statement for the previous six-month period. (ECF No. 3). Plaintiff,  
15 however, did not submit an application to proceed *in forma pauperis* along with his  
16 financial documents. The Court will retain Plaintiff's financial documents. But if Plaintiff  
17 wants to proceed with this action, he must either file a completed application to proceed  
18 *in forma pauperis* on this Court's approved form or pay the full \$405 filing fee.

The United States District Court for the District of Nevada must collect filing fees from parties initiating civil actions. 28 U.S.C. § 1914(a). As of December 1, 2023, the fee for filing a civil-rights action is \$405, which includes the \$350 filing fee and the \$55 administrative fee. See 28 U.S.C. § 1914(b). “Any person who is unable to prepay the fees in a civil case may apply to the court for leave to proceed *in forma pauperis*.” Nev. LSR 1-1. For an inmate to apply for *in forma pauperis* status, the inmate must submit **all three** of the following documents to the Court: (1) a completed **Application to Proceed in Forma Pauperis for Inmate**, which is pages 1–3 of the Court’s approved form, that is properly signed by the inmate twice on page 3; (2) a completed **Financial Certificate**, which is page 4 of the Court’s approved form, that is properly signed by both the inmate

1 and a prison or jail official; and (3) a copy of the **inmate's prison or jail trust fund**  
2 **account statement for the previous six-month period.** See 28 U.S.C. § 1915(a)(1)–  
3 (2); Nev. LSR 1-2. *In forma pauperis* status does not relieve an inmate of his or her  
4 obligation to pay the filing fee, it just means that the inmate can pay the fee in installments.  
5 See 28 U.S.C. § 1915(b).

6 It is therefore ordered that Plaintiff has **until August 12, 2024**, to either pay the full  
7 \$405 filing fee or file a completed application to proceed *in forma pauperis* on the Court's  
8 approved form with the inmate's two signatures on page 3.

9 Plaintiff is cautioned that this action will be subject to dismissal without prejudice if  
10 Plaintiff fails to timely comply with this order. A dismissal without prejudice allows Plaintiff  
11 to refile the case with the Court, under a new case number, when Plaintiff can file a  
12 complete application to proceed *in forma pauperis* or pay the required filing fee.

13 The Clerk of the Court is directed to send Plaintiff Evan Parker the approved form  
14 application to proceed *in forma pauperis* for an inmate and instructions for the same and  
15 retain the complaint (ECF No. 1-1) but not file it at this time.

16 DATED THIS 12th day of July 2024.  
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20 UNITED STATES MAGISTRATE JUDGE  
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